



STATE OF NEW JERSEY
Board of Public Utilities
Two Gateway Center
Newark, NJ 07102
www.bpu.state.nj.us

Customer Assistance

IN THE MATTER OF NORMAN G.
ELISBERG, PETITIONER v. PUBLIC
SERVICE ELECTRIC AND GAS)
COMPANY, RESPONDENT)

ORDER ADOPTING
INITIAL DECISION

BPU Docket No. GC05090772U
OAL Docket No. PUC 1189-06

(SERVICE LIST ATTACHED)

BY THE BOARD

On September 1, 2005, Norman G. Elisberg (Petitioner) filed a petition with the Board of Public Utilities (Board) for a hearing in regard to a dispute with Public Service Electric and Gas Company (PSE&G) (Respondent). Petitioner claimed that an employee of PSE&G improperly and/or illegally parked in his deeded space at his residence in a condominium community and then fabricated a gas leak complaint to cover parking in his parking spot. On October 21, 2005, Respondent filed a response.

On December 23, 2005, the Board transmitted this matter to the Office of Administrative Law (OAL) for determination and initial disposition as a contested case pursuant to N.J.S.A. 52:14B-1 et seq. and N.J.S.A. 52:14F-1 et seq. The matter was assigned to Administrative Law Judge (ALJ) Edith Reiner.

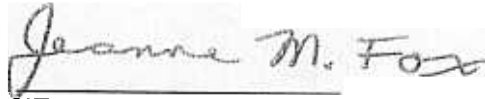
During the pendency of this matter at the OAL, the parties engaged in negotiations and reached a settlement. The settlement was submitted to the ALJ for review. On February 28, 2006, ALJ Reiner filed an Initial Decision with the Board, memorializing the terms of the settlement and recommending that it be approved. The ALJ found the settlement to be voluntary, consistent with the law and fully dispositive of all issues in controversy. The ALJ therefore concluded that the settlement met the requirements of N.J.A.C. 1:1-19.1.

Under the terms of the settlement, PSE&G has credited Petitioner's account in the amount of \$350.00. PSE&G also apologized for the behavior of its employee and assured Petitioner that no PSE&G employee or truck will park in Petitioner's deeded parking space in the future.

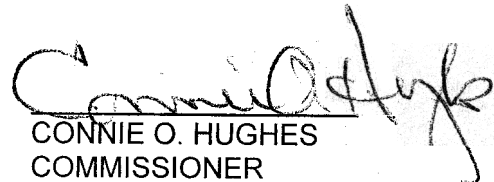

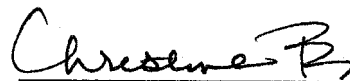
The Board FINDS that the terms of the settlement are fair and reasonable. Therefore, the Board HEREBY ADOPTS the Initial Decision and Stipulation of Settlement in their entirety, incorporating the terms thereof into this final decision as if fully set forth at length herein.

DATED: 4/13/06

BOARD OF PUBLIC UTILITIES
BY:



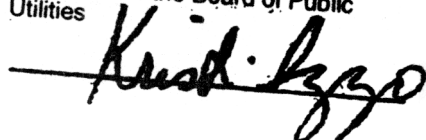
JEANNE M. FOX
PRESIDENT


FREDERICK F. BUTLER
COMMISSIONER
CONNIE O. HUGHES
COMMISSIONER
JOSEPH L. FIORDALISO
COMMISSIONER
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ATTEST:


KRISTI IZZO
SECRETARY

I HEREBY CERTIFY that the within
document is a true copy of the original
in the files of the Board of Public
Utilities



- 2 -

BPU Docket No. GC05090772U
OAL Dkt. No. PUC 1189-06

Norman G. Elisberg v. Public Service Electric and Gas Company

BPU Docket No. GC05090772U
OAL Dkt. No. PUC 1189-06

SERVICE LIST

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CMS
BESLOW
RPA
SLUTSKY, J
HILERO, P
STARK (2)



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

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**INITIAL DECISION
SETTLEMENT**
OAL DKT. NO. PUC 1189-06
AGENCY DKT. NO. GCO5090772U

NORMAN G. ELISBERG,
Petitioner,

v.

**PUBLIC SERVICE ELECTRIC
& GAS COMPANY,**
Respondent.

Norman G. Elisberg, petitioner, pro se
Joseph E. Priddy, Esq., for respondent

Record Closed: February 21, 2006

Decided: February 28, 2006

BEFORE **ELINOR R. REINER, ALJ.**

On or about September 1, 2005 petitioner filed a petition with the New Jersey Board of Public Utilities for a hearing in regard to a dispute with respondent. On or about October 21, 2005, respondent filed its response. On February 21, 2006, this matter was transmitted to the Office of Administrative Law (OAL) as a contested case for hearing pursuant to N.J.S.A. 52:14B-1 to -15 and N.J.S.A. 52:14F-1 to -13.

A mandatory early settlement conference was scheduled and held on February 21, 2006, before the undersigned judge. On that date, the parties appeared, settlement conferences were held and a settlement was reached.

The parties have agreed to settle this matter and have prepared the attached Settlement Agreement, indicating the terms of settlement.

have reviewed the record and the settlement terms and **FIND:**

- 1 The parties have voluntarily agreed to the settlement, as evidenced by their signatures or their representatives' signatures.
- 2 The settlement fully disposes of all issues in controversy and is consistent with the law.

I **CONCLUDE** that this agreement meets the requirements of N.J.A.C. 1:1-19.1 and that the settlement should be approved. I **APPROVE** the settlement and, therefore, **ORDER** that the parties comply with the settlement terms and that these proceedings be concluded

hereby **FILE** my initial decision with the **BOARD OF PUBLIC UTILITIES** for consideration.

This recommended decision may be adopted, modified or rejected by the **BOARD OF PUBLIC UTILITIES**, which by law is authorized to make a final decision in this matter. If the Board of Public Utilities does not adopt, modify or reject this decision within forty-five (45) days and unless such time limit is otherwise extended, this recommended decision shall become a final decision in accordance with N.J.S.A. 52:14B-10.

February 28, 2006
DATE

Elinor R. Reiner
ELINOR R. REINER, ALJ

Receipt Acknowledged:

3/8/06
DATE

[Signature]
BOARD OF PUBLIC UTILITIES

Mailed to Parties

DATE
al

OFFICE OF ADMINISTRATIVE LAW

SETTLEMENT AGREEMENT

In the matter of Norman G. Elisberg v. Public Service Electric & Gas Company
(OAL Docket No. PUCCC 01189-2006N; BPU Docket No. GC05090772U), the
parties have agreed to settle the dispute in accordance with the following terms:

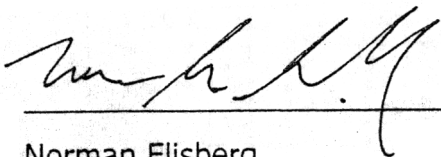
Petitioner raises concerns about the behavior of a PSE&G employee visiting Petitioner's residence and using Petitioner's personal parking space and also speaking improperly.

Respondent sincerely regrets the incident, apologizes for the behavior of its employee, and provides its assurance that no PSE&G employee or truck will park in Petitioner's spot at his residence in the future.

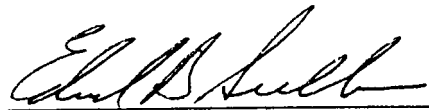
In consideration for Petitioner's agreeing to ask that his Petition be withdrawn, Respondent agrees to credit Petitioner's account in the amount of \$350 to be applied to Petitioner's next bill.

Accordingly, in consideration for terms set forth in this settlement agreement, the parties ask that the Petition be dismissed with prejudice.

Agreed to by the parties this twenty-first day of February 2006.



Norman Elisberg



Edward Sullivan

PSE&G

COPY



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OFFICE OF ADMINISTRATIVE LAW
33 Washington Street
Newark, New Jersey 07102
(973) 648-6008

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MAIL ROOM
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PUBLIC UTILITIES
NEWARK, N.J.

NORTH

Date: 3-1-06

Re: Initial Decisions for Receipt

Receipt of the following decisions from the Office of Administrative Law (as well as a copy of this form) is acknowledged as of the date indicated below:

OAL Docket No. PUC

Case Name

9933 - 05

Regan vs JCP&L

1188 - 06

Independence Corp

1189 - 06

Norman G. Elisberg

Board of Public Utilities

2 Gateway Center

Newark, New Jersey 07102

Date:

3/8/06


Board of Public Utilities